



OK TO ENTER -- /Mark L. Shevin/

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 8459
Morten SYSLAK et al. : Attorney Docket No. 2005_1455A
Serial No. 10/549,673 : Group Art Unit 1793
Filed December 1, 2005 : Examiner Mark L. Shevin

A METHOD FOR PRODUCING
ALUMINUM ALLOY SHEET MATERIAL
AND AN ALUMINUM ALLOY SHEET

: Mail Stop: AF

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
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RESPONSE AFTER FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37.CFR.116
EXPEDITED PROCEDURE 1700
EXAMINING GROUP

Sir:

Responsive to the Office Action of January 13, 2009, Applicants submit the following remarks in support of the patentability of the presently claimed invention over the disclosures of the references relied upon by the Examiner in rejecting the claims. Further and favorable reconsideration is respectfully requested in view of these remarks.

Thus, the rejection of claims 1-2, 6 and 20 under 35 U.S.C. §103(a) as being unpatentable over US 6,238,497 (US '497) in view of US 6,261,706 (Fukuda) is respectfully traversed.

The Examiner has still not disputed the fact that the feature of claim 1 relating to the "material microstructure exhibiting primary particles having average size below 1 micrometer²", is new, as none of the cited references define a method of producing aluminium alloy sheet material with such microstructure.